

REMARKS

This amendment is in response to the final Office Action dated November 13, 2009. Claims 1, 3, 6-8 and 11-12 have been amended, no claims have been canceled, and no claims have been added; as such, claims 1-12 are now pending in this application. Claims 1, 6, and 11-12 are independent claims. Reconsideration and allowance is requested in view of the claim amendments and the following remarks. These amendments add no new matter.

35 USC 112, 2nd ¶ Rejections

Claims 1-10 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Specifically, the examiner's contents that it is unclear whether the claims are for the recited "electronic device" or the recited method. Applicant has amended independent claims 1 and 6 to more clearly recite device claims.

As such, Applicant respectfully requests withdrawal of the rejection of claims 1-10 under 35 U.S.C. 112, second paragraph.

35 USC § 102 Rejections

Claims 1-4, 6-9 and 11-12 have been rejected under 35 U.S.C. § 102(b) as being as being anticipated by Takagi et al (U.S. Pub. No. 2002/0112248, hereinafter referred to as "Takagi '248"). Applicant respectfully traverses this rejection.

Claim 1 recites:

An electronic device having a display panel and a plurality of keys to which desired functions can be assigned, comprising:

display means for causing display of a plurality of items on the display panel;

means for receiving a selection of a desired item from the plurality of items, after which

the display means causing display of a setting screen corresponding to the selected desired item; and

assigning means for assigning the selected desired item to one of the plurality of keys using the setting screen,

wherein at least one of the plurality of keys is assigned a function for displaying the setting screen, and

wherein said one of the plurality of keys is assigned one of two paired functions.

Takagi '248 fails to disclose, teach or suggest “*assigning means for assigning the selected desired item to one of the plurality of keys using the setting screen, wherein at least one of the plurality of keys is assigned a function for displaying the setting screen, and wherein said one of the plurality of keys is assigned one of two paired functions.*”

The Office Action, however, alleges these features can be found in Fig. 3 of Takagi '248. This is wholly inaccurate.

Takagi '248 relates to a digital/analog broadcasting receiver having a function to select a user setting which defines the operation mode of this receiver for each of a plurality of users. A user operates an input device beforehand to set his/her own preferential operation mode of a receiver and assigns a desired selection number to the operation mode and then stores it in the memory. This selection number is assigned a number that is not used as the receivable channel number obtained from the channel information so that each number may be discriminated from each other. When the user operates the numeral inputting key to enter a selection number during reception of an image, the control unit refers to the memory to select an operation mode which is assigned the selection number.

In essence, Takagi '248 discloses how an operation mode is selected for each user to make a user setting and stored in a memory in correlation with a predetermined input pattern of an operation key. When having received a user's input in the predetermined pattern, the receiver refers

to the memory to select a user setting that corresponds to this input pattern, thus switching the operation mode.

By contrast, Applicant's claimed invention provides an electronic device and a method of assigning functions that allow a function of quickly displaying a setting screen for menu items or a setting screen for non-menu items to be assigned to a key so as to improve the operability of the electronic device. Specifically, the present application illustrates examples of an assignment of not only signal or multiple functions but of paired functions as well. For example, in Fig. 4D, the shake compensation's 'on' and 'off' functions represent paired functions. Similarly, 'edit search +' and 'edit search -' represent paired functions.

Describing Fig. 3 of Takagi '248, paragraph [0035] states:

[0035] This user setting in this embodiment is described with reference to FIG. 3. FIG. 3 shows a display for performing user setting by selecting the operation mode for each user, which display functions as an interface for user setting together with the remote controller 30. This operation-mode setting display is displayed in an OSD manner on the display device 12 by pressing the menu key 35 to display the menu in a list and then operating the direction keys 37 to select "OPERATION MODE SETTING" from the menu. On this setting display, first a user setting table 61 given at the upper part is used to select a user setting. Here, user 0 setting is selected, which is confirmed by a black-and-white reversed cursor. To select any one of the other user settings, operate the RIGHT/LEFT direction keys 37c/37d to move the cursor. When the user setting is thus selected and is confirmed by the ENTER key 38, such an operation mode selection table 62 appears at the bottom of the display that lists the various setting items and operation modes of the receiver. These setting items comprise "BEGINNER MODE", "FONT", "FONT SIZE", . . . which are enumerated in the left column and on its right side, the specific operation modes corresponding to these setting items are enumerated. In this list, the currently selected operation mode is indicated by the black-and-white reversed cursor. The operation modes are all defaulted to a recommended mode beforehand; the user, however, can operate the direction keys 37 to move the cursor and fix it using the ENTER key 38 in order to select his desired operation mode, thus customizing the receiver 1.

Though Takagi '248 shows a display for performing user setting by selecting the operation mode for each user, there is no mention of assigning means for assigning the selected desired item to one of the plurality of keys using the setting screen wherein said one of the plurality of keys is assigned one of two paired functions. Indeed, Takagi '248 merely shows the settings of

user(0) to user (3) and how to change the operation mode of the individual user settings within the display means. There is no assignment of a paired function in the manner claimed by the Applicant.

As such, Takagi '248 fails to teach or suggest various features of independent claim 1. For reasons similar to those regarding claim 1, independent claims 6 and 11-12 are similarly neither disclosed nor suggested by Takagi '248. Dependent claims 2-4 and 7-9 are also neither disclosed nor suggested by Takagi '248, for their incorporation of the distinct features recited in the respective independent claims, as well as for their own separately recited patentably distinct features.

Accordingly, Applicant respectfully requests that the rejection of claims 1-4, 6-9 and 11-12 under 35 U.S.C. § 102(b) as being anticipated by Takagi '248 be withdrawn.

35 USC § 103 Rejections

Claims 5 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takagi '248 in view of Chung et al. (U.S. Patent 5,086,503, hereinafter referred to as "Chung '503"). Applicant respectfully traverses this rejection.

Claims 5 and 10 depend from and thus incorporate the features of claims 1 and 6, which are neither disclosed nor suggested by Wical '718, for the reasons stated above.

Chung '503 does not remedy the deficiencies of Takagi '248, as the various features recited above are also absent from Chung '503. For example, Applicant's claimed features of *"assigning means for assigning the selected desired item to one of the plurality of keys using the setting screen, wherein at least one of the plurality of keys is assigned a function for displaying the setting screen, and wherein said one of the plurality of keys is assigned one of two paired functions,"* are neither disclosed nor suggested by Chung '503.

Chung '503 discloses a means for remapping a keyboard across terminal emulation functions in a computer system in an accurate and user friendly manner. An end user activates the keyboard remap program and then selects the type of keyboard layout to be remapped. The user is then prompted to select one of a plurality of operations to be performed on the selected keyboard. The operations include create a new keyboard and change, display or delete an existing keyboard. If

the selected operation is create or change, the user is presented with a display of a layout of the selected keyboard. Thereafter, the user selects one or more keys to be remapped and selects an action to be performed on the selected key or keys. After the user has performed the desired actions on the selected keyboard, the user may store the modified keyboard and exit the remap program or perform other operations which are available in the remap program.

There is **no mention** of assigning means for assigning the selected desired item to one of the plurality of keys using the setting screen wherein said one of the plurality of keys is assigned one of two paired functions in Chung '503.

Since even a combination of the relied upon references would still fail to yield the claimed invention, Applicant submits that a prima facie case of obviousness for claim 1 has not been presented. Applicant also notes that the offered combination appears to be a failed attempt to reconstruct the claimed invention in hindsight, as there is no basis to combine the operation mode selection function for a user setting of Takagi '248 with the means for remapping a keyboard of Chung '503.

Furthermore, at least for the reason disclosed above, claims 5 and 10 overcome the combination of Takagi '248 and Chung '503 because they depend on independent claims 1 or 6 and thus incorporate the distinct features therein, as well as their separately recited patentably distinct features.

Accordingly, Applicant respectfully requests that the rejection of claims 5 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Takagi '248 in view of Chung '503 be withdrawn.

Conclusion

In view of the above amendment and remarks, applicant believes the pending application is in condition for allowance.

This response is believed to be a complete response to the Office Action. However, Applicant reserves the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein,

in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicant expressly does not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

Extensions of time

Please treat any concurrent or future reply, requiring a petition for an extension of time under 37 C.F.R. §1.136, as incorporating a petition for extension of time for the appropriate length of time.

The Commissioner is hereby authorized to charge all required fees, fees under 37 C.F.R. §1.17, or all required extension of time fees.

Fees-general authorization

The Commissioner is hereby authorized to charge any deficiency in fees filed, asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm).

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Dated: December 22, 2009

Respectfully submitted,

By 

Christopher M. Tobin

Registration No.: 40,290

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 23353

Attorney for Applicant